

Serial No.: 10/574,652
Group Art Unit No.: 1625

REMARKS

Claims 1 to 8 are pending in this instant application. Claims 1, and 4-7 have been rejected; Claims 3 and 8 are objected to as being dependent from a rejected claim; and Claim 2 has been allowed. Claim 9 has been added.

Response to Rejection under 35 USC §112, second paragraph

Claim 1 has been rejected under 35 U.S.C. 112, second paragraph as being ambiguous. More specifically, the Examiner objects to the partial structure:



In response, Applicants have amended Claim 1 to insert the omitted X group and thereby resolve the ambiguity. Basis for this amendment can be found in the specification on page 3, line 17.

Applicants have further amended Claim 1 to more particularly point out and distinctly claim what they consider to be their invention. Basis for the phrase "pharmaceutically acceptable salts" can be found in the specification on page 7, lines 1-2, and on page 9, line 21-22. Claims 2 and 3 have been similarly amended.

Claim 1 has also been amended to reflect the fact that R^4 and R^5 , together with the nitrogen atom to which they are attached, can form a ring. Basis for this amendment can be found in the specification on page 4, lines 18-19.

Inasmuch as Applicants have addressed Examiner's objections, Claim 1, as amended, is now in condition for allowance. Claims 2, 3, and 8, which depend from Claim 1 are also allowable.

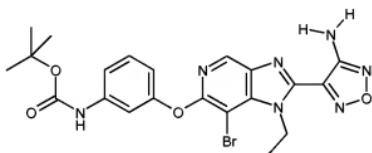
Response to Rejection under 35 USC §112, first paragraph

Claims 4-7 have been rejected as failing to comply with the enabling requirement. Applicants have rendered this rejection moot by cancelling these claims.

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Amended Claim 9

Applicants have added new Claim 9. Basis for the term "phenyl optionally substituted with 1 to 3 substituents selected from the group consisting of halo, alkylaminoalkyl, and CONR⁴R⁵" can be found on page 5, lines 5-12. Basis for the description of R³ can be found on page 5 lines 6 and 8, and basis for the group CH₃C(CH₃)₂-OC(O)-NH can be found in the exemplified compound 1,1-dimethylethyl (3-{[2-(4-amino-furazan-3-yl)-7-bromo-1-ethyl-1H-imidazo[4,5-c]pyridine-6-yl]oxy}phenyl)carbamate, on page 17, lines 18-19, and illustrated below:



Basis for the description of R⁴ and R⁵ can be found in the specification on page 4, lines 16-19. Claim 9 is patentable because it is narrower in scope than and depends from allowable Claim 2.

Conclusion

In view of the above remarks, Applicants respectfully request that a Notice of Allowance be granted for Claims 1-3, 8, and 9. Should the Examiner have any questions or wish to discuss any aspect of this case, the Examiner is encouraged to call me at the number below.

Respectfully submitted,

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